

The requested amendment does not affect any hearing deadlines or the trial date. Further, the requested amendment affects only one defendant – Fortinet. After source code review, Implicit requested source code printouts from Fortinet on August 16, 2019 and August 26, 2019, but Fortinet was not able to provide the printouts to Implicit until August 29, 2019. As to the source code produced on August 12, 2019, counsel for both parties met and conferred on August 30, 2019 and agreed that a two-week extension would be appropriate. Additional source code for the Accused Products was made available by Fortinet on September 3, 2019, and September 9, 2019. The Parties request the schedule modification not for purposes of delay, but to allow Implicit a reasonable time in which to amend its Infringement Contentions in light of Fortinet’s source code.

The proposed modification is detailed in the following chart:

Current Deadline	Proposed Deadline	Event
September 11, 2019	September 25, 2019	Deadline to amend Infringement Contentions (as to Fortinet only), pursuant to P.R 3-1(g), regarding source code produced by Fortinet on August 12, 2019.
N/A	October 3, 2019	Deadline to amend Infringement Contentions (as to Fortinet only), pursuant to P.R 3-1(g), concerning source code made available for inspection by Fortinet on September 3, 2019.
N/A	October 6, 2019	Deadline to amend Infringement Contentions (as to Fortinet only), pursuant to P.R 3-1(g), concerning source code made available for inspection by Fortinet on September 6, 2019.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully pray that the Court enter the attached Second Amended Docket Control Order, and for all other relief to which they are justly entitled.

Dated: September 11, 2019

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, this document is being served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(V). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), any counsel of record not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing by email on this September 11, 2019.

/s/ Francesca Miki Shima Germinario
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